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Interim Governments: Short-Lived Institutions for Long-Lasting Peace

Julia Strasheim

After the uprising against President Yanukovych, Ukraine's opposition convened an interim government to pave the way for elections in May 2014. This year also saw interim governments put in place in the Central African Republic and Thailand. Meanwhile, peace talks in South Sudan came to a standstill in October 2014 because parties were unable to agree on the role of the prime minister in an interim government.

Analysis

Interim governments are often installed during peace processes, and policy makers tend to portray them as magic bullets that are capable of resolving all forms of violent conflict and promoting postconflict democracy. Their record, however, is mixed. This is partly because policy makers focus on distributing interim government seats among conflict parties. It is just as vital, though, to ensure that interim governments implement crucial reforms and integrate civil society in decision-making processes.

- Postconflict interim governments are set up to organize elections, conduct institutional reforms, and facilitate conflict resolution. They are particularly common in sub-Saharan Africa, where they have been installed after over 60 percent of armed conflicts.
- The record shows that power-sharing interim governments, such as in Liberia, and international interim governments, such as in Kosovo, are most successful in advancing peace and democracy.
- Among the most vital reforms interim governments need to implement is the integration of the parallel institutions that warring parties maintain during armed conflict. As long as parties retain control over military structures or shadow administrations, they will possess the resources to return to fighting.
- How interim governments are perceived by the broader public is also important. Including civil society in decision making, such as when drafting a new electoral law, increases the acceptance of reforms.

Keywords: Interim governments, transition, democratization, peace, conflict resolution

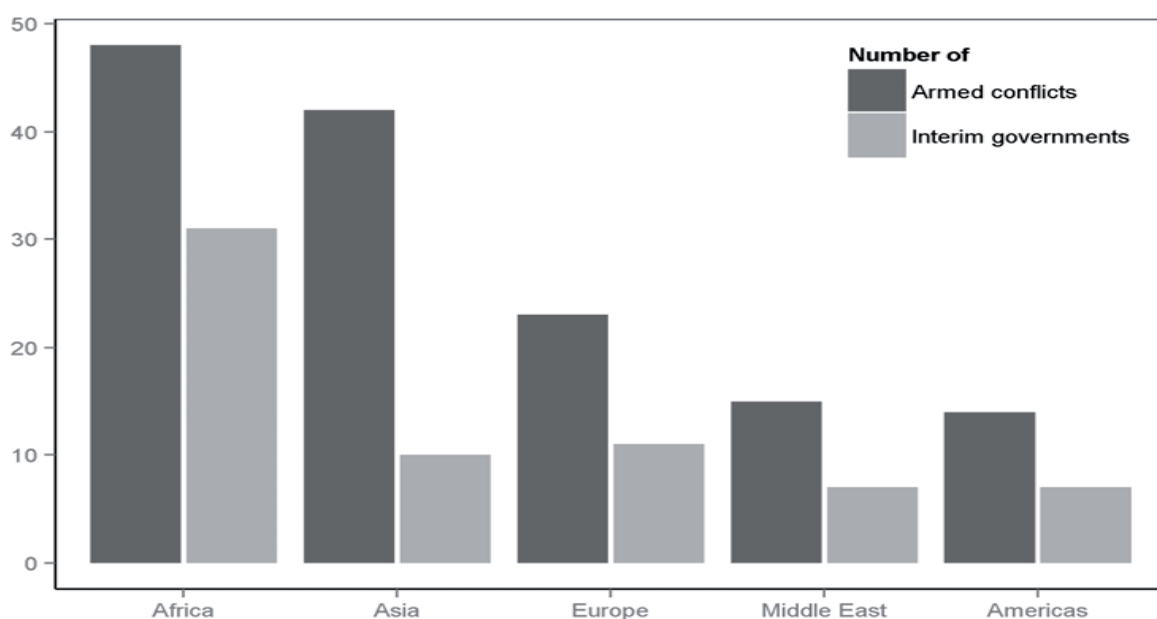
Interim Governments as Tools for Conflict Resolution

When promoting peace and democratization in societies marked by internal violence, the international community often calls for the installation of interim governments. Interim governments are institutions set in place to facilitate the transition from an old regime to a new one, organize democratic elections, provide venues for conflict resolution for the warring parties, and implement crucial institutional reforms early on in the peace process. They often convene after warring parties have signed a peace agreement, but they can also form while fighting is still taking place. Interim governments typically cease to function with the holding of elections so that a new, “permanent” government can take over. Figure 1 shows that interim governments were common in postconflict peace processes all over the world between 1989 and 2012. This has been particularly evident in sub-Saharan Africa, where interim governments were installed following over 60 percent of armed conflicts, including civil wars in Burundi, Liberia, and the Central African Republic (CAR). Interim governments were also set up after roughly 50 percent of armed conflicts in Europe, the Middle East, South America and Central America as well as after about 25 percent of armed conflicts in Asia.

Policy makers, warring parties, and the media have thus recently started to increasingly portray interim governments as “magic bullets” capable of resolving all forms of violent conflict. For instance, in June 2012 the then US Secretary of State, Hillary Clinton, stressed the need to create “a fully representative and inclusive interim government which leads to free and fair elections” in Syria (*The Telegraph* 2012). In the final years of Sri Lanka’s civil war that ended in 2009, the Liberation Tigers of Tamil Eelam (LTTE) demanded the creation of an internationally backed interim self-governing authority, but the government denied them such a request. And recently commenting on Afghanistan’s current struggle for peace, *Foreign Policy* identified a new interim government even as “the only choice left” (Koskinas 2014) for the country. Such a cure-all view on interim governments is, however, somewhat paradoxical. While they may help to resolve conflict in some cases, they also raise questions regarding the democratic legitimacy of and impunity for actors involved in the conduct of war:

- First, interim governments are typically unelected and thus democratically illegitimate institutions that are put in place to promote democracy, a system that thrives on elections to determine its political leaders. Interim governments have hence also been called “benevolent autocrats” (Chesterman 2004).

Figure 1: Intrastate Armed Conflicts and Interim Governments, 1989–2012



Source: <www.ucdp.uu.se> for conflict data; own compilation of data for interim governments.

- Second, interim governments are also regularly perceived as bridges to peace and conflict resolution, but they are usually dominated by those actors that started the war in the first place. It is not rare for the warring parties' leaders, who are often inexperienced in governing a state, to exploit their positions in interim governments to enrich themselves, instead of generating collective goods for the benefit of all members of society.

Despite these paradoxes, interim governments were also frequently put in place in 2014. In Ukraine the fall of President Viktor Yanukovich's regime in February after prolonged protests in Kiev's Independence Square brought an interim government to power that was ruled by the former opposition parties. Despite being in place until Petro Poroshenko was elected president in May 2014, the interim government did not resolve Ukraine's lingering political conflict. In March 2014, after an internationally unrecognized independence referendum and a Russian intervention, Russia recognized the Crimean Peninsula as a sovereign state. Shortly thereafter, violence escalated into a civil war in Ukraine's eastern oblasts. In the Central African Republic (CAR) a national transitional council was installed in January 2014 after a prolonged armed conflict between the Séléka coalition and supporters of former president Francois Bozizé. Catherine Samba-Panza, the mayor of the capital Bangui, became interim president. These political changes did not, however, resolve the country's conflict, and United Nations (UN) troops were required to take over the peacekeeping mission in September 2014 in an attempt to stop the continued bloodshed. In South Sudan the May 2014 peace accord called for the creation of an interim government. But peace talks were at a standstill as of October 2014 because warring party leaders have been unable to agree on interim cabinet positions. And in Thailand the army set up a military interim government after overthrowing Prime Minister Yingluck Shinawatra's regime in May 2014. Military rulers have promised political reforms and democratic elections, though they are yet to materialize.

The record for all of these 2014 interim governments in promoting sustainable peace and democracy is thus mixed at best. When are interim governments instruments for peace and democracy? And when do they fail to keep their promises?

The Institutional Design of Interim Governments

Thus far, political science has almost exclusively analyzed the institutional designs of interim governments by assessing how these bodies add to postconflict peace and democracy. This is based on an influential typology that identifies which political elite actors dominate interim governments and differentiates between four institutional designs: caretaker, revolutionary, power-sharing and international.

Caretaker interim governments are ruled by the incumbent regime's authoritarian elites. This was the case in Angola, for instance, where the incumbent People's Movement for the Liberation of Angola (MPLA) were in power during the transitional period between the signing of the Bicesse Peace Agreement in 1991 and presidential elections in 1992. The rebels of the National Union for the Total Independence of Angola (UNITA) were not included.

If a regime is defeated by an opposition party, however, the latter may install a *revolutionary interim government* – as occurred in Libya in 2011. There Muammar Gaddafi's regime was overthrown by the rebel-ruled National Transitional Council (NTC), which organized elections for the General National Congress in July 2012.

In a *power-sharing interim government*, incumbent and new elites join forces, as was the case after Liberia's long-lasting civil war in 2003. And in an *international interim government*, international actors (commonly through the lead of the UN) assume political authority for a period of time – an example of which is the establishment of the UN Interim Administration Mission in Kosovo at the turn of the millennium (Shain and Linz 1995).

The record shows that power-sharing and international forms of interim governments (such as those in Liberia and Kosovo, respectively) are more successful in promoting postconflict peace and democratization than are caretaker and revolutionary designs (like those set up in Angola and Libya, respectively), which exclude one of the warring factions. This is because, among other things, interim power sharing offers all relevant warring party leaders a position in political office and thus assures them that they will not be dominated or marginalized in the peace process. Furthermore, a seat in an interim cabinet or parliament is at times viewed to be more lucrative than

is continuing to fight for political power on the battlefield. For instance, Foday Sankoh, leader of Sierra Leone's Revolutionary United Front (RUF) rebel movement, is said to have signed the 1999 Lomé Peace Agreement in exchange for the vice presidency and control over the national diamond trade (Binningsbø and Dupuy 2009). Interim rule in Sierra Leone ended with elections in May 2002, and civil war has not recurred. In Angola, on the other hand, UNITA received no seats in the caretaker interim government and thus had no reason to believe that the government could deliver free and fair elections. After UNITA's Jonas Savimbi lost to José Eduardo dos Santos of the MPLA in the 1992 presidential elections, the rebels remobilized for civil war.

While power-sharing interim governments can thus often lure warring factions into peace by offering certain benefits, international interim governments come instead with capacity or coercion. Due to their greater technical knowledge as well as financial and human resources, UN interim governments ("transitional administrations") are, in theory, often better equipped than internally conflictual power-sharing interim governments to rebuild state institutions. International interim governments also often possess sufficient military manpower via peacekeeping missions to ensure warring parties comply. For example, international authority has prevented the recurrence of civil war in Bosnia, where the Office of the High Representative is allowed to dismiss domestic leaders from political office if they are seen to be pursuing an ethnonationalist agenda.

The Bosnian case, however, points to problematic aspects of international interim rule that are often dismissed as illegitimate, undemocratic or neocolonial forms of postconflict governance. Furthermore, UN administrations typically suffer from operational deficiencies such as being very slow to deploy and lacking the necessary cultural and/or linguistic skills to rule a foreign territory. Also, international interim governments are often criticized for imposing Western ideas of democracy in postconflict societies in the Global South – particularly in cases where reforms are implemented with low levels of local ownership over the process. For instance, the UN administration established in East Timor in 1999 did not initially intend assign any executive or legislative power to the East Timorese political elites. Only in August 2000, after political elites protested against

the lack of influence they had over East Timor's transition to independence, did the UN create the East Timor Transitional Administration (ETTA) – a body that represented the structure of East Timor's government following the cessation of the interim government.

These issues already point to the many challenges faced by international interim governments. But power-sharing interim governments also have to deal with difficulties. In fact, many power-sharing interim regimes installed between 1989 and 2012 failed to deliver sustainable peace and democratization (e.g., the Democratic Republic of the Congo [DRC] and Burundi). Although there are many reasons for this, one explanation suggests that power-sharing interim governments are seen to reward the use of violence with a seat in political office, which then motivates formerly unarmed groups to take up arms in order to also receive a seat in interim government (Tull and Mehler 2005).

Another problem with focusing on power sharing and internationalization as the key reasons for interim governments' success or failure is that while these factors may be strong explanations of short-term peace, they often cannot explain long-term, sustainable peace or postconflict democratization. For instance, if power-sharing interim governments contribute to peace by offering warring parties interim cabinet seats, what happens once elections take place and a new, postinterim government takes over? It is likely that the former interim governors will refuse to accept being stripped of political power and relegated to the opposition, thus threatening to return to war. This was, in fact, what occurred in Cambodia following the defeat of Hun Sen, the leader of the Cambodian People's Party (CPP), by Prince Norodom Ranariddh in the 1993 elections. After two years as prime minister of the power-sharing, interim Supreme National Council, Hun Sen and the CPP refused to accept defeat and forced their way into a coalition government with Ranariddh – a move made possible by the fact that the CPP had never relinquished control of the security services and also controlled civil administration structures in much of rural Cambodia.

Institutional Reforms in Interim Governments

Because of the aforementioned issues, it would be fruitful to take into account explanations of the success or failure of interim governments that go beyond the presence of power sharing or international actors. Just as important as the “static” institutional design of interim governments are the “dynamic” features of these governments (i.e., the type of reforms that they conduct). The Cambodia example shows how crucially important it is to address early on in a peace process the parallel political and military institutions that warring parties create or maintain during armed conflict. In fact, in most armed conflicts today warring factions establish more or less institutionalized and militarized “shadow governments” in order to accumulate the resources needed to engage in war. Together with nonstatutory rebel armies, these parallel structures do not automatically disappear just because, for instance, a peace agreement is signed and an interim government is installed. Even in cases like Kosovo, where the mass exodus of Serbian bureaucratic personnel led to an institutional vacuum in the formal state structures after the end of the war, informal Albanian-run parallel institutions had long been in place – namely, a shadow government run (for over a decade) by the unarmed opposition party, the Democratic League of Kosovo, and a self-proclaimed interim government run by the Kosovo Liberation Army (and set up before the UN installed its own interim administration in June 1999).

Thus during a peace period, interim governments must promptly look to integrate the parallel political and military institutions of warring parties. These institutions enable such factions to remain organized and tax a population, which provides them with finances to purchase weapons in the event they lose elections and decide to prevent their political elimination by force. In the above-mentioned case of Angola, for instance, UNITA never allowed the MPLA caretaker interim government access to its districts, therefore preventing electoral registration being carried out in these areas. Wherever the interim government tried to expand its territorial outreach in UNITA strongholds, UNITA rebels attacked and/or kidnapped government officials, thus forcing them to cancel their electoral registration efforts. When UNITA’s Savimbi lost the 1992 elections to the MPLA’s de Santos, he was able to quickly regroup his party

– primarily in the communes and municipalities that UNITA had never handed over to the interim government. Similarly, in Cambodia the 1991 Paris Peace Agreement did not require a strong commitment by the warring parties to disband their military structures, but rather only that the factions agreed to disarm and demobilize before or shortly after the elections and to abide by the decisions of the subsequently elected government. But these terms were never strongly enforced, and the disarmament process was never completed. Consequently, not only was Hun Sen able to force his way into power despite losing the 1993 election, but Khmer Rouge rebels were able to continue their struggle against Hun Sen’s government until 1998.

In contrast, the reforms implemented in Nepal demonstrate how an interim government’s monopolization of power can increase its impact on postconflict peace. During Nepal’s ten-year-long civil war, the Maoist rebels controlled up to 75 percent of the national territory. They used their strongholds to set up people’s courts and people’s governments, to extract taxes from the rural population, and to force villagers to provide insurgents with food and accommodation. When the Maoists signed Nepal’s Comprehensive Peace Agreement in November 2006, they agreed to disband their parallel structures upon joining the interim institutions. The new inclusive interim parliament convened in January 2007, and a complete dissolution of the people’s courts and governments was reported for February the same year. Although the subsequent peace process in Nepal had and still has to overcome many obstacles (e.g., a thorough reform of the country’s security sector is necessary), the country has thus far not returned to civil war.

Elite Affairs and More Inclusive Processes

The role of interim governments is not solely to affect the behavior and perceptions of the leaders of warring parties. Equally important is how they engage the broader public, especially civil society organizations, in postconflict societies. The inclusion of the public in processes of institutional reform (e.g., amending the constitution or drafting new electoral laws) can widen the acceptance of such reforms and increase their sustainability and legitimacy. For those people or groups that have

been excluded from a reform process conducted by an elite few or marginalized by the decisions of interim leaders, violent revolt may become a legitimate strategy to stop or reverse such processes and decisions. Therefore, interim governments that consult with civil society during reform processes are likely to be more successful in contributing to sustainable peace and durable democratization than are interim governments that are mere elite affairs.

We can see this, for example, in Afghanistan after the US-led international intervention in 2001. The Afghan Interim Authority (AIA) was put in place by the December 2001 Bonn Agreement. The AIA, under the guidance of President Hamid Karzai, was charged with drafting the country's new post-Taliban constitution and electoral law. But although the institutions of the AIA included a broad spectrum of Afghanistan's ethnic and social groups, the lawmaking process was essentially closed to broader and inclusive public debate. The AIA presented the electoral law to the population largely as a done deal and was consequently perceived as mostly serving the interests of the interim power brokers. On the contrary, the 2003–2005 National Transitional Government in Liberia allocated posts not only to the former ruling National Patriotic Party (NPP) and the rebel groups Liberians United for Reconciliation and Democracy (LURD) and Movement for Democracy in Liberia (MODEL), but also to other political parties and civil society groups. Instead of a rebel leader, Gyude Bryant, a civilian and businessman, was named interim president. Even though this constitutes a much more comprehensive and seemingly sustainable institutional reform process than that in Afghanistan, it also proved difficult for civil society members in Liberia to serve both as formal representatives in the interim bodies and to perform their roles as watchdogs over the political process.

Interim Governments and German Foreign Policy

What conclusions can be drawn from the above discussion for the interim governments installed (and those yet to be convened) in 2014? And what recommendations can be made for German and international policy makers that are likely to pro-

mote interim governments to help resolve future armed conflicts?

In Ukraine the outbreak of violence may have been prevented if the interim government had not been presented as a political “clean break” with the former regime. An original plan for the transition of Ukraine proposed by German foreign minister Frank-Walter Steinmeier and his counterparts from Poland and France included a power-sharing interim government of national unity that would have been composed of both the opposition and members of Viktor Yanukovich's regime. Instead, the regime was toppled, and the opposition's interim government (attempting to reform the civil administration) swiftly dismissed a number of long-seated bureaucrats and tried to impose a bill that aimed to make Ukrainian the sole state language – threatening Russian-speaking Ukrainians in the country's eastern oblasts, which were Yanukovich strongholds. A more inclusive transition process that had better taken into consideration voices from eastern Ukraine would have added to national reconciliation.

The above discussion also shows that power sharing alone often cannot explain the success or failure of interim governments. In South Sudan warring party leaders signed a peace accord in May 2014. These leaders, however, continue today to fight over cabinet posts, with each warring faction stressing its right to lead the interim government. Similarly, the change in the CAR's staffing policy that came with Catherine Samba-Panza's appointment as interim president in January 2014 did not change the situation on the ground: violence remains a daily threat in the country. Equally important to the question of who runs the interim government is what reforms the interim government implements. Both Salva Kiir, current president of South Sudan, and Catherine Samba-Panza addressed the UN General Assembly in September 2014 to appeal to the member states to strengthen the UN peacekeeping operations in their respective countries – in part because interim governments require substantial international support to disarm and demobilize combatants. In the CAR the interim government is becoming meaningless outside the capital Bangui. It has no control of the country's North, where former president Michel Am-Nondokro Djotodia has formed a parallel government in the city of Birao. The experience of Angola (as discussed above) rendered a reform process unlikely and impeded the hold-

ing of elections (as currently planned) in February 2015, not least because electoral registration requires control over the national territory.

Lastly, in Thailand the interim National Council for Peace and Order (NCPO) of Prime Minister Prayuth Chan-ocha, and then head of the army, was criticized in September 2014 in an Amnesty International report that accused it of systematic human rights violations. The allegations include arbitrary arrests and the restriction of freedom of expression and assembly. Amnesty International claims that such restrictions are unfavorable to an inclusive institutional reform process as well as national reconciliation. The situation in Thailand is that without consulting civil society in the institutional reform process, Thailand's interim leaders are risking a hard landing: not only will reforms not supported by civil society be unsustainable, but an exclusive interim period might promote further unrest in the country.

In general, international actors engaged in postconflict democracy promotion and peacebuilding have in the past often paid much attention to distributing seats in the interim government among political leaders. This is, however, often not enough to ensure that an interim government succeeds in securing long-term peace and sustainable democracy. German and international policy makers should therefore strive to equip interim governments with the capacity to complete much-needed reforms before elections take place – for instance, by supporting UN peacekeeping missions that can help to disarm and demobilize rebel groups. Furthermore, civil society actors and unarmed opposition parties should be given stronger roles in interim governments. The example of Liberia, however, where such actors have even been rewarded with seats in the interim parliament, shows that such inclusion may not always be the best approach. Instead, policy makers could encourage interim governments to allow for public debates and implement transparent reform processes by, for example, holding referenda on newly drafted constitutions.

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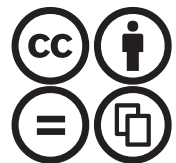
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